			AT LYNCHBURG, VA FILED
IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA LYNCHBURG DIVISION		6/25/2021	
		JULIA C. DUDLEY, CLERK BY: s/ CARMEN AMOS DEPUTY CLERK	
WESTWARD INVESTMENT)		
PROPERTIES, LLC, et al.,)		
)		
Plaintiff,)		
V.)	Civil Action No. 6:21-	-cv-00012
)		
TESLA, INC.,)	By: Elizabeth K. Dillo	on
)	United States District Judge	
Defendant.)		
)		

CLERKS OFFICE U.S. DIST. COURT.

ORDER GRANTING MOTION TO ENTER JUDGMENT

In this action, defendant made a Rule 68 offer of judgment that was accepted by the plaintiffs in the amount of \$20,000, inclusive of attorney's fees and costs. (Dkt. No. 15.)

Defendant has paid the settlement amount. Plaintiffs move for the entry of judgment pursuant to Rule 68 of the Federal Rules of Civil Procedure. (Dkt. No. 16.) Defendant opposes this motion, filed a cross-motion for dismissal with prejudice, and requests an award of attorney's fees incurred in the opposition of what it calls an "unnecessary motion." (Dkt. No. 17.) The court held a hearing on these motions on June 17, 2021. (Dkt. No. 19.) At the hearing, plaintiffs made an oral motion for costs and attorney's fees.

For the reasons stated on the record at the hearing, the court will grant plaintiffs' motion for entry of judgment and deny defendant's cross-motion in opposition to the entry of judgment. The court will also deny both motions for attorney's fees and costs.

It is HEREBY ORDERED that:

- 1. Plaintiffs' motion for judgment under Rule 68 (Dkt. No. 16) is GRANTED;
- 2. Defendant's cross-motion for dismissal with prejudice (Dkt. No. 17) is DENIED;

- 3. Both parties' motions for costs and fees are DENIED; and
- 4. The Clerk of Court is directed to ENTER JUDGMENT pursuant to Rule 68 in the amount of \$20,000, inclusive of attorney's fees and costs, and mark the judgment satisfied.

The Clerk is directed to transmit copies of this Order to all counsel of record.

Entered: June 25, 2021.

Elizabeth K. Dillon

United States District Judge

/s/Elizabeth K. Dillon